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HUMAN RIGHTS QUESTIONS

Report of the Social Committee

1. The Social Committee considered human rights questions (agenda item 18) at its 11th-18th meetings, on 15, 16 and from 19 to 22 July 1993. It had before it the following documents:

(a) Report of the Committee on Economic, Social and Cultural Rights on its seventh session (E/1993/22); 1/

(b) Report of the Commission on Human Rights on its forty-ninth session (E/1993/23 and Corr.2 and 4); 2/

(c) Report of the Secretary-General on the suppression of the traffic in persons and of the exploitation of the prostitution of others (E/1993/61 and Add.1);

(d) Note by the Secretary-General on allegations regarding infringements of trade union rights in South Africa (E/1993/95);

(e) Extract from the report of the Committee on Economic, Social and Cultural Rights on its eighth session (E/1993/L.23 and Add.1);

1/ Official Records of the Economic and Social Council, 1993, Supplement No. 2 (E/1993/22).

2/ Ibid., Supplement No. 3 and corrigenda (E/1993/23 and Corr.2 and 4).

(f) Administrative and programme budget implications of resolutions and decisions adopted by the Commission on Human Rights at its forty-ninth session (E/1993/L.29);

(g) Statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status with the Economic and Social Council, category I (E/1993/NGO/9).

2. At the 11th meeting on 15 July, the Committee held a general discussion on the item. The Committee heard an introductory statement by the Officer-in-Charge of the Centre for Human Rights of the Secretariat.

3. At the same meeting, the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Economic Community) and Canada made statements.

4. At the 12th meeting, on 16 July, statements were made by the observers for the Inter-Parliamentary Union and the International Movement ATD Fourth World, non-governmental organizations in consultative status with the Economic and Social Council, category I.

5. At the 13th meeting, on 19 July, statements were made by the representatives of Austria, Nigeria, Norway (on behalf of the Nordic countries) and Chile and the observers for Latvia, Iraq and Estonia.

6. At the same meeting, the representative of the Office of the United Nations High Commissioner for Refugees made a statement.

7. At the 14th meeting, on 20 July, statements were made by the representative of the Russian Federation and the observers for Indonesia, El Salvador, the Sudan and Slovakia.

8. At the same meeting, the observer for the World Federation of Trade Unions, a non-governmental organization in consultative status with the Economic and Social Council, category I, made a statement.

9. At the 15th meeting, on 20 July, statements were made by the representatives of Ukraine, Poland, Romania and Japan and the observers for Myanmar and Pakistan.

10. At the 16th meeting, on 21 July, statements were made by the representatives of China, Kuwait, the Philippines, India, the United States of America, Peru, the Republic of Korea, Cuba and Colombia and the observers for the Czech Republic and Venezuela.

11. At the same meeting, the representatives of the Programme Planning and Budget Section and the Centre for Human Rights of the Secretariat also made statements.

12. At the 17th meeting, on 22 July, the representative of the Programme Planning and Budget Section made a statement.

13. At the same meeting, the representative of Cuba made a statement.

14. At the 18th meeting, on 22 July, the representative of the Philippines made a statement. The representative of France also made a statement. The representative of the Centre for Human Rights responded to a question raised by the representative of France.

Recommendations contained in the report of the Commission on Human Rights

15. Chapter I of the report of the Commission on Human Rights on its forty-ninth session (E/1993/23 and Corr.2 and 4) contained 4 draft resolutions and 44 draft decisions recommended for adoption by the Council. The administrative and programme budget implications of resolutions and decisions adopted by the Commission at its forty-ninth session were contained in document E/1993/L.29.

Human rights and extreme poverty

16. At the 17th meeting, on 22 July, the Committee adopted draft resolution I, entitled "Human rights and extreme poverty" (see para. 98 below, draft resolution I).

Monitoring the transition to democracy in South Africa

17. At the 17th meeting, on 22 July, the Committee adopted draft resolution II, entitled "Monitoring the transition to democracy in South Africa" (see para. 98 below, draft resolution II).

Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

18. At the 17th meeting, on 22 July, the Committee adopted draft resolution III, entitled "Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" (see para. 98 below, draft resolution III).

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

19. At the 17th meeting, on 22 July, the Committee adopted draft resolution IV, entitled "Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms" (see para. 98 below, draft resolution IV).

Question of the violation of human rights in the occupied Arab territories, including Palestine

20. At the 17th meeting, on 22 July, the Committee considered draft decision 1, entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine". The representative of the Syrian Arab Republic made a statement.

21. At the same meeting, the Committee adopted the draft decision by a roll-call vote of 22 to 11, with 10 abstentions (see para. 99 below, draft decision I). The voting was as follows: 3/

In favour: Bahamas, Bangladesh, Bhutan, Botswana, Brazil, Chile, China, Colombia, Cuba, Guinea, India, Kuwait, Madagascar, Mexico, Morocco, Nigeria, Peru, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Turkey.

Against: Belarus, Canada, Denmark, Germany, Japan, Norway, Poland, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Australia, Austria, Belgium, France, Italy, Philippines, Republic of Korea, Spain, Ukraine.

Situation of human rights in Cambodia

22. At the 17th meeting, on 22 July, the Committee adopted draft decision 2, entitled "Situation of human rights in Cambodia" (see para. 99 below, draft decision II).

Situation of human rights in the territory of the former Yugoslavia

23. At the 17th meeting, on 22 July, the Committee adopted draft decision 3, entitled "Situation of human rights in the territory of the former Yugoslavia" (see para. 99 below, draft decision III).

Rape and abuse of women in the territory of the former Yugoslavia

24. At the 17th meeting, on 22 July, the Committee adopted draft decision 4, entitled "Rape and abuse of women in the territory of the former Yugoslavia" (see para. 99 below, draft decision IV).

Situation of human rights in South Africa

25. At the 17th meeting, on 22 July, the Committee adopted draft decision 5, entitled "Situation of human rights in South Africa" (see para. 99 below, draft decision V).

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

26. At the 17th meeting, on 22 July, the Committee adopted draft decision 6, entitled "Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance" (see para. 99 below, draft decision VI).

3/ The representative of Benin indicated that had he been present, he would have voted in favour of the draft decision.

Respect for the right of everyone to own property alone as well as in association with others

27. At the 17th meeting, on 22 July, the Committee adopted draft decision 7, entitled "Respect for the right of everyone to own property alone as well as in association with others" (see para. 99 below, draft decision VII).

The right to development

28. At the 17th meeting, on 22 July the Committee considered draft decision 8, entitled "The right to development". The representative of the Syrian Arab Republic made a statement.

29. At same meeting, the Committee adopted the draft decision by a roll-call vote of 38 to 1, with 6 abstentions (see para. 99 below, draft decision VIII) The voting was as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Benin, Bhutan, Botswana, Brazil, Chile, China, Colombia, Cuba, Denmark, France, Guinea, India, Italy, Kuwait, Madagascar, Mexico, Morocco, Nigeria, Norway, Peru, Philippines, Republic of Korea, Romania, Russian Federation, Spain, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Togo, Turkey.

Against: United States of America.

Abstaining: Canada, Germany, Japan, Poland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

30. After the draft decision was adopted, the representative of Austria made a statement.

Report of the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities

31. At the 17th meeting, on 22 July, the Chairman informed the Committee that no action was required on draft decision 9, entitled "Report of the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities".

Work of the Subcommission on Prevention of Discrimination and Protection of Minorities

32. At the 17th meeting, on 22 July, the Committee adopted draft decision 10, entitled "Work of the Subcommission on Prevention of Discrimination and Protection of Minorities" (see para. 99 below, draft decision IX).

Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities

33. At the 17th meeting, on 22 July, the Committee adopted draft decision 11, entitled "Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities" (see para. 99 below, draft decision X).

Human rights and forensic science

34. At the 17th meeting, on 22 July, the Committee adopted draft decision 12, entitled "Human rights and forensic science" (see para. 99 below, draft decision XI).

Question of arbitrary detention

35. At the 17th meeting, on 22 July, the Committee adopted draft decision 13, entitled "Question of arbitrary detention" (see para. 99 below, draft decision XII).

Torture and other cruel, inhuman or degrading treatment or punishment

36. At the 17th meeting, on 22 July, the Chairman informed the Committee that draft decision 14, entitled "Torture and other cruel, inhuman or degrading treatment or punishment" had been deleted from the report of the Commission (see E/1993/23/Corr.2).

Question of human rights and states of emergency

37. At the 17th meeting, on 22 July, the Committee adopted draft decision 15, entitled "Question of human rights and states of emergency" (see para. 99 below, draft decision XIII).

Question of the impunity of perpetrators of violations of human rights

38. At the 17th meeting, on 22 July, the Committee adopted draft decision 16, entitled "Question of the impunity of perpetrators of violations of human rights" (see para. 99 below, draft decision XIV).

Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

39. At the 17th meeting, on 22 July, the Committee adopted draft decision 17, entitled "Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers" (see para. 99 below, draft decision XV).

Right to freedom of opinion and expression

40. At the 17th meeting, on 22 July, the Committee adopted draft decision 18, entitled "Right to freedom of opinion and expression" (see para. 99 below, draft decision XVI).

Protection of human rights in the context of human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS)

41. At the 17th meeting, on 22 July, the Committee adopted draft decision 19, entitled "Protection of human rights in the context of human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS)" (see para. 99 below, draft decision XVII).

National institutions for the promotion and protection of human rights

42. At the 17th meeting, on 22 July, the Committee adopted draft decision 20, entitled "National institutions for the promotion and protection of human rights" (see para. 99 below, draft decision XVIII).

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

43. At the 17th meeting, on 22 July, the Committee adopted draft decision 21, entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region" (see para. 99 below, draft decision XIX).

Situation of human rights in the Sudan

44. At the 17th meeting, on 22 July, the Committee adopted draft decision 22, entitled "Situation of human rights in the Sudan" (see para. 99 below, draft decision XX).

45. After the draft decision was adopted, statements were made by the representative of China and the observer for the Sudan.

Situation of human rights in the Islamic Republic of Iran

46. At the 17th meeting, on 22 July, the Committee considered draft decision 23, entitled "Situation of human rights in the Islamic Republic of Iran".

47. At the same meeting, the observer for the Islamic Republic of Iran made a statement. The representative of the Syrian Arab Republic also made a statement.

48. The Committee then adopted the draft decision by a roll-call vote of 24 to 4, with 14 abstentions (see para. 99 below, draft decision XXI). The voting was as follows:

In favour: Australia, Austria, Bahamas, Belarus, Belgium, Botswana, Brazil, Canada, Chile, Denmark, France, Germany, Guinea, Italy, Japan, Mexico, Norway, Peru, Russian Federation, Spain, Suriname, Swaziland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Bangladesh, China, Cuba, Syrian Arab Republic.

Abstaining: Angola, Benin, Bhutan, Colombia, India, Madagascar, Morocco, Nigeria, Philippines, Poland, Republic of Korea, Romania, Sri Lanka, Turkey.

Situation of human rights in Cuba

49. At the 17th meeting, on 22 July, the Committee considered draft decision 24, entitled "Situation of human rights in Cuba".

50. At the same meeting, the representative of Cuba made a statement.

51. Also at the same meeting, the Committee adopted the draft decision by a roll-call vote of 24 to 3, with 16 abstentions (see para. 99 below, draft decision XXII). The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Canada, Chile, Denmark, France, Germany, Italy, Japan, Kuwait, Norway, Poland, Republic of Korea, Romania, Russian Federation, Spain, Swaziland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: China, Cuba, Syrian Arab Republic.

Abstaining: Bahamas, Benin, Bhutan, Botswana, Brazil, Colombia, Guinea, India, Madagascar, Mexico, Morocco, Nigeria, Peru, Philippines, Sri Lanka, Suriname.

52. After the draft decision was adopted, the representative of Brazil made a statement.

Situation of human rights in Afghanistan

53. At the 17th meeting, on 22 July, the Committee adopted draft decision 25, entitled "Situation of human rights in Afghanistan" (see para. 99 below, draft decision XXIII).

Situation of human rights in Haiti

54. At the 17th meeting, on 22 July, the Committee adopted draft decision 26, entitled "Situation of human rights in Haiti" (see para. 99 below, draft decision XXIV).

Situation of human rights in Equatorial Guinea

55. At the 17th meeting, on 22 July, the Committee adopted draft decision 27, entitled "Situation of human rights in Equatorial Guinea" (see para. 99 below, draft decision XXV).

Situation of human rights in Myanmar

56. At the 17th meeting, on 22 July, the Committee adopted draft decision 28, entitled "Situation of human rights in Myanmar" (see para. 99 below, draft decision XXVI).

Situation of human rights in Iraq

57. At the 17th meeting, on 22 July, the observer for Iraq made a statement.

58. At the same meeting, the Committee adopted draft decision 29, entitled "Situation of human rights in Iraq" (see para. 99 below, draft decision XXVII).

59. After the draft decision was adopted, statements were made by the representatives of the Syrian Arab Republic and India.

Application of international standards concerning the human rights of detained juveniles

60. At the 17th meeting, on 22 July, the Committee adopted draft decision 30, entitled "Application of international standards concerning the human rights of detained juveniles" (see para. 99 below, draft decision XXVIII).

Assistance to Georgia in the field of human rights

61. At the 17th meeting, on 22 July, the Committee adopted draft decision 31, entitled "Assistance to the Republic of Georgia in the field of human rights" (see para. 99 below, draft decision XXIX).

Assistance to Somalia in the field of human rights

62. At the 17th meeting, on 22 July, the Committee adopted draft decision 32, entitled "Assistance to Somalia in the field of human rights" (see para. 99 below, draft decision XXX).

Advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights

63. At the 17th meeting, on 22 July, the Committee adopted draft decision 33, entitled "Advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights" (see para. 99 below, draft decision XXXI).

Assistance to Guatemala in the field of human rights

64. At the 17th meeting, on 22 July, the Committee adopted draft decision 34, entitled "Assistance to Guatemala in the field of human rights" (see para. 99 below, draft decision XXXII).

Human rights in El Salvador

65. At the 17th meeting, on 22 July, the Committee decided to defer action on draft decision 35, entitled "Human rights in El Salvador". The draft decision read as follows:

> "The Economic and Social Council, taking note of Commission on Human Rights resolution 1993/93 of 10 March 1993, approves the Commission's request to the Secretary-General to extend the mandate of the independent expert for one year to report on human rights developments in El Salvador, providing the assistance required by the Government in this field, and also approves the Commission's request to the independent expert to report to the Commission at its fiftieth session on the action taken to give effect to Commission resolution 1993/93."

66. At the 18th meeting, on 22 July, the representative of El Salvador read out an amendment to the draft decision as follows:

To replace the words "to extend the mandate of the independent expert for one year" with the words "to extend the designation of the independent expert for one year with the mandate".

67. At the same meeting, the representative of Spain made a statement.

68. At the same meeting, the Committee adopted the draft decision as orally amended (see para. 99 below, draft decision XXXIII).

Internally displaced persons

69. At the 17th meeting, on 22 July, the Committee adopted draft decision 36, entitled "Internally displaced persons" (see para. 99 below, draft decision XXXIV).

Procedure for special sessions of the Commission on Human Rights

70. At the 17 meeting, on 22 July, the Committee adopted draft decision 37, entitled "Procedure for special sessions of the Commission on Human Rights" (see para. 99 below, draft decision XXXV).

Promoting the realization of the right to adequate housing

71. At the 17 meeting, on 22 July, the Committee adopted draft decision 38, entitled "Promoting the realization of the right to adequate housing" (see para. 99 below, draft decision XXXVI).

Human rights dimensions of population transfer, including the implantation of settlers and settlements

72. At the 17 meeting, on 22 July, the Committee adopted draft decision 39, entitled "Human rights dimensions of population transfer, including the

implantation of settlers and settlements" by a roll-call vote of 41 to 1, with 1 abstention (see para. 99 below, draft decision XXXVII). The voting was as follows: 4/, 5/

In favour: Angola, Argentina, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Bhutan, Botswana, Brazil, Canada, Chile, China, Colombia, Cuba, Denmark, Germany, Guinea, India, Italy, Japan, Kuwait, Madagascar, Mexico, Morocco, Nigeria, Norway, Peru, Poland, Republic of Korea, Romania, Russian Federation, Spain, Sri Lanka, Suriname, Syrian Arab Republic, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, Zaire.

Against: United States of America.

Abstaining: Philippines.

Study on treaties, agreements and other constructive arrangements between States and indigenous populations

73. At the 17th meeting, on 22 July, the Committee adopted draft decision 40, entitled "Study on treaties, agreements and other constructive arrangements between States and indigenous populations" (see para. 99 below, draft decision XXXVIII).

Right to a fair trial

74. At the 17th meeting, on 22 July, the Committee adopted draft decision 41, entitled "Right to a fair trial" (see para. 99 below, draft decision XXXIX).

The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

75. At the 17th meeting, on 22 July, the Committee adopted draft decision 42, entitled "The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms" (see para. 99 below, draft decision LX).

Human rights and the environment

76. At the 17th meeting, on 22 July, the Committee adopted draft decision 43, entitled "Human rights and the environment" (see para. 99 below, draft decision XLI).

4/ The representative of France indicated that, had she been present during the voting, she would have voted in favour of the draft decision.

5/ The representative of Swaziland subsequently indicated that his vote in favour of the draft decision had not been recorded.

Organization of the work of the fiftieth session of the Commission on Human Rights

77. At the 17th meeting, on 22 July, the Committee adopted draft decision 44, entitled "Organization of the work of the fiftieth session of the Commission on Human Rights" (see para. 99 below, draft decision XLII).

Recommendations contained in the report of the Committee on Economic, Social and Cultural Rights on its seventh session

78. Chapter I of the report of the Committee on Economic, Social and Cultural Rights on its seventh session (E/1993/22) contained two draft decisions recommended for action by the Council.

79. At the 17th meeting on 22 July, the Secretary of the Committee made a statement on the programme budget implications of the two draft decisions.

Technical assistance to Panama in implementing the International Covenant on Economic, Social and Cultural Rights

80. At the 17th meeting, on 22 July, the Committee adopted draft decision I, entitled "Technical assistance to Panama in implementing the International Covenant on Economic, Social and Cultural Rights" (see para. 99 below, draft decision XLIII).

Technical assistance to the Dominican Republic in implementing the International Covenant on Economic, Social and Cultural Rights

81. At the 17th meeting, on 22 July, the Committee adopted draft decision II, entitled "Technical assistance to the Dominican Republic in implementing the International Covenant on Economic, Social and Cultural Rights" (see para. 99 below, draft decision XLIV).

Recommendations contained in the extract from the report of the Committee on Economic, Social and Cultural Rights on its eighth session

82. The extract from the report of the Committee on Economic, Social and Cultural Rights on its eighth session (E/1993/L.23) contained three draft decisions recommended for adoption by the Economic and Social Council.

Extraordinary additional session of the Committee on Economic, Social and Cultural Rights

83. At the 17th meeting, on 22 July, the Committee adopted draft decision I, entitled "Extraordinary additional session of the Committee on Economic, Social and Cultural Rights (see para. 99 below, draft decision XLV).

84. After the draft decision was adopted, statements were made by the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Economic Community), Canada, Japan and the United States of America.

Payment of honoraria to members of the Committee on Economic, Social and Cultural Rights

85. At the 17th meeting, on 22 July, the Committee considered draft decision II, entitled "Payment of honoraria to members of the Committee on Economic, Social and Cultural Rights".

86. At the same meeting, the representative of Belgium (on behalf of the States Members of the United Nations that are members of the European Economic Community) introduced an oral amendment to the draft decision, as follows:

To replace the words "decides to authorize payment" with the words "endorses the request of the Committee to the General Assembly to authorize payment".

87. At the same meeting, the Committee adopted the draft decision as orally amended (see para. 99 below, draft decision XLVI).

Resources to enable the Committee on Economic, Social and Cultural Rights to involve experts in its general discussion

88. At the 17th meeting, on 22 July, the Committee considered draft decision III, entitled "Resources to enable the Committee on Economic, Social and Cultural Rights to involve experts in its general discussion".

89. At the same meeting, the representative of France made a statement.

90. Also at the same meeting, the Committee decided to defer action on the draft decision.

91. At the 18th meeting, on 22 July, the representative of France orally proposed a draft decision in connection with draft decision III.

92. At the same meeting, the representative of the Syrian Arab Republic made a statement.

93. At the same meeting, the Committee adopted the oral decision (see para. 99 below, draft decision XLVII).

Other proposals

Suppression of the traffic in persons

94. At the 16th meeting, on 21 July, the observer for the Netherlands, 6/ on behalf also of Belgium, the Czech Republic, 6/ Finland, 6/ Ireland, 6/ Nigeria, Norway, Romania, the Russian Federation, Slovakia 6/ and Venezuela, 6/ introduced a draft resolution (E/1993/C.2/L.4) entitled

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6/ In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

"Suppression of the traffic in persons". Subsequently, Ecuador, 6/ Morocco, Peru, the Philippines, Poland, Senegal 6/ and Uruguay joined in sponsoring the draft resolution.

95. At the 17th meeting, on 22 July, the Committee adopted the draft resolution (see para. 98 below, draft resolution V).

Documents considered by the Economic and Social Council in connection with the question of human rights

96. At the 18th meeting, on 22 July, on the proposal of the Chairman, the Committee adopted a draft decision, entitled "Documents considered by the Economic and Social Council in connection with the question of human rights" (see para. 99 below, draft decision XLVIII).

Report of the Commission on Human Rights on its forty-ninth session and provisional agenda and documentation for the fiftieth session of the Commission

97. At the 18th meeting, on 22 July, on the proposal of the Chairman, the Committee adopted a draft decision entitled "Report of the Commission on Human Rights on its forty-ninth session and provisional agenda and documentation for the fiftieth session of the Commission" (see para. 99 below, draft decision XLIX).

RECOMMENDATIONS OF THE SOCIAL COMMITTEE

98. The Social Committee recommends to the Economic and Social Council the adoption of the following draft resolutions:

[FOR THE TEXT OF DRAFT RESOLUTIONS I-IV, SEE THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/1993/23), CHAP. I, SECT. A]

DRAFT RESOLUTION V

Suppression of the traffic in persons

The Economic and Social Council,

Recalling Commission on Human Rights resolutions 1982/20 of 10 March 1982 7/ on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism, 1988/42 of 8 March 1988, 8/ 1989/35 of

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7/ See Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12), chap. XXVI, sect. A.

8/ Ibid., 1988, Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

6 March 1989, 9/ 1990/63 of 7 March 1990, 10/ and 1991/58 of 6 March 1991 11/ and 1992/47 of 3 March 1992 12/ and taking note of Commission resolutions 1993/27 of 5 March 1993 13/ and decision 1993/122 of 10 March 1993 14/ on the reports of the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities and 1992/74 of 5 March 1992 on programmes of action for the prevention of the sale of children, child prostitution and child pornography and for the elimination of the exploitation of child labour, 12/

Recalling also its resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, 1988/34 of 27 May 1988 and 1989/74 of 24 May 1989 on the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities, and 1990/46 of 25 May 1990, 1991/35 of 31 May 1991 and 1992/10 of 20 July 1992 on the suppression of the traffic in persons,

Recalling further Commission on Human Rights resolution 1992/36 of 28 February 1992 on a draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others, 12/

Considering that the report of the Special Rapporteur of the Economic and Social Council on the suppression of the traffic in persons and the exploitation of the prostitution of others 15/ still constitutes a useful basis for further action,

Having examined the report of the Secretary-General on the implementation of Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, 16/

9/ Ibid., 1989, Supplement No. 2, (E/1989/20), chap. II, sect. A.

10/ Ibid., 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

11/ Ibid., 1990, Supplement No. 2 (E/1991/22), chap. II, sect. A.

12/ Ibid., 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

13/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

14/ Ibid., chap. II, sect. B.

15/ E/1983/7 and Corr.1 and 2.

16/ E/1993/61 and Add.1.

Noting that only a few Member States, United Nations organizations and other intergovernmental organizations have submitted information on the steps taken to implement the recommendations contained in Council resolution 1983/30,

Gravely concerned that slavery, the slave trade and slavery-like practices still exist, that there are modern manifestations of those phenomena and that such practices represent some of the gravest violations of human rights,

Convinced that the United Nations Trust Fund on Contemporary Forms of Slavery will play an important role in the protection of the human rights of victims of contemporary forms of slavery,

Aware of the complexity of the issue of the suppression of the traffic in persons and the exploitation of the prostitution of others, and the need for further coordination and cooperation to implement the recommendations made by the Special Rapporteur and by various United Nations bodies,

Sharing the grave concern, expressed by the Commission on Human Rights in paragraph 2 of its resolution 1993/27, at manifestations of contemporary forms of slavery as reported to the Working Group,

Mindful of the resolutions on violence against women, adopted by the Commission on Human Rights, the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice,

Welcoming the determined stance, taken in the Vienna Declaration of the World Conference on Human Rights against gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking and the pertinent reference made in that Declaration to legal measures, national action and international cooperation in such fields as economic and social development, education, safe maternity and health care, and social support,

1. Reminds States parties to the Slavery Convention on 1926, 17/ the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, 17/ and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 17/ that they should submit to the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities regular reports on the situation in their countries, as provided for under the relevant conventions and under Council decision 16 (LVI) of 17 May 1974;

2. Takes note with appreciation of the report of the Secretary-General on the implementation of Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others; 16/

17/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1), sect. F.

3. Requests the Secretary-General to submit a further report to the Council, at its substantive session of 1994, on the steps taken to implement the recommendations contained in Council resolution 1983/30 by those Member States, United Nations organizations and other intergovernmental organizations that have not yet submitted such information and to make that report available to the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities;

4. Also requests the Secretary-General to continue to include in that report, or to make available to the Council in some way, information on activities of the supervisory bodies of the International Labour Organisation regarding the implementation of provisions and standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery;

5. Takes note in this connection of the information on activities of the supervisory bodies of the International Labour Organisation regarding the implementation of provisions and standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery; 18/

6. Further requests the Secretary-General to include in that report information on any operational activities of the United Nations system that can foster the implementation of standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery and activities that might be geared to the prevention of violations and alleviation of the plight, or rehabilitation, of victims;

7. Requests the Secretary-General to include in that report information on the matter of close collaboration of the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice with the Centre for Human Rights of the Secretariat on the issue of the suppression of contemporary forms of slavery;

8. Urges the Secretary-General to ensure effective servicing of the Working Group and of other activities related to the suppression of contemporary forms of slavery and slavery-like practices, and requests him to report to the Council at its substantive session of 1994 on the steps taken in that regard;

9. Reiterates its request to the Secretary-General to designate the Centre for Human Rights of the Secretariat as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery and requests the Secretary-General to report on the follow-up of this request;

10. Urges the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice to collaborate closely with the Centre for Human Rights on the issue of the suppression of contemporary forms of slavery;

18/ E/1993/61, sect. II.C.

11. Welcomes the establishment of the United Nations Trust Fund on Contemporary Forms of Slavery;

12. Approves the endorsement by the Commission on Human Rights 19/ of the recommendation made by the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1992/2 of 14 August 1992, that the arrangements regarding the organization of the sessions of the Working Group on Contemporary Forms of Slavery, as contained in Commission decision 1992/115 of 3 March 1992, 20/ be repeated in subsequent years;

13. Welcomes Commission on Human Rights decision 1993/112 14/ to authorize the Subcommission to consider the possibility of appointing a special rapporteur to update the report of the Special Rapporteur on the exploitation of child labour, Mr. Abdelwahab Boubdiba;

14. Concurs with the Centre for Social Development and Humanitarian Affairs in its assessment of the relevance of the Riyadh Guidelines for the Prevention of Juvenile Delinquency 21/ contained in General Assembly resolution 45/112;

15. Decides to consider the question of the suppression of the traffic in persons at its substantive session of 1994 under the item entitled "Human rights questions".

99. The Social Committee also recommends to the Economic and Social Council the adoption of the following draft decisions:

[FOR THE TEXT OF DRAFT DECISIONS I-XLII, SEE THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/1993/23), CHAP. I, SECT. B]

[FOR THE TEXT OF DRAFT DECISIONS XLIII AND XLIV, SEE THE REPORT OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS ON ITS SEVENTH SESSION (E/1993/22), CHAP. I]

[FOR THE TEXT OF DRAFT DECISION XLV, SEE THE EXTRACT FROM THE REPORT OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS ON ITS EIGHTH SESSION (E/1993/L.23)]

19/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A, resolution 1993/27.

20/ Ibid., 1992, Supplement No. 2 (E/1992/22), chap. II, sect. B.

21/ E/1993/61, sect. II.B.

DRAFT DECISION XLVI

Payment of honoraria to members of the Committee on Economic, Social and Cultural Rights

The Economic and Social Council, noting that recent measures approved by the General Assembly will result in a situation in which the members of five out of the six United Nations treaty bodies composed of independent experts are entitled to receive an honorarium for their services, and recognizing that it is inequitable for a single committee to be treated differently in this respect, endorses the request of the Committee to the General Assembly to authorize payment to each member of the Committee on Economic, Social and Cultural Rights of an honorarium equivalent to that payable to the members of other relevant treaty bodies.

DRAFT DECISION XLVII

Resources to enable the Committee on Economic, Social and Cultural Rights to involve experts in its general discussion

The Economic and Social Council takes note of draft decision III contained in the extract from the report of the Committee on Economic, Social and Cultural Rights on its eighth session 22/ and decides to give further consideration to this question at its substantive session of 1994, taking into account the full report of the Committee on its eighth session and any additional information the Committee may wish to submit.

DRAFT DECISION XLVIII

Documents considered by the Economic and Social Council in connection with the question of human rights

The Economic and Social Council takes note of the following documents:

(a) Report of the Committee on Economic, Social and Cultural Rights on its seventh session; 23/

(b) Note by the Secretary-General on allegations regarding infringements of trade union rights in South Africa; 24/

(c) Extract from the report of the Committee on Economic, Social and Cultural Rights on its eighth session. 25/

22/ E/1993/L.23.

23/ Official Records of the Economic and Social Council, 1993, Supplement No. 2 (E/1993/22).

24/ E/1993/95.

25/ E/1993/L.23 and Add.1.

DRAFT DECISION XLIX

Report of the Commission on Human Rights on its forty-ninth session and provisional agenda and documentation for the fiftieth session of the Commission

The Economic and Social Council takes note of the report of the Commission on Human Rights on its forty-ninth session and of the draft provisional agenda and documentation for the fiftieth session of the Commission 26/ as set out in that report.

26/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23 and Corr. 2 and 4).